



## State of New Jersey

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# Diesel Law Fact Sheet

## How am I affected by the new diesel law?

The new Diesel Risk Reduction Law, P.L. 2005, c. 219, enacted on September 7, 2005, is a first step toward addressing an urgent public health issue: controlling particulate matter from diesel-powered vehicles. Diesel emissions contain more than 40 known and probable carcinogens, including fine particles, commonly called soot. These pollutants are known to cause or exacerbate asthma, bronchitis, lung cancer, heart disease and premature death. By reducing exposure to diesel particulates through retrofits to vehicles and the use of ultralow sulfur fuel, New Jersey can save lives and reduce health care costs. In addition, controls on emissions from school bus engines are expected to significantly reduce the high levels of particulates that children are exposed to while riding on school buses each day. In total, these reductions will enable us to avoid up to 150 premature deaths each year and save up to \$1.4 billion in health care and related costs annually. **Because voters approved a constitutional amendment on November 8, 2005 to temporarily reallocate a portion of revenue from the Corporate Business Tax, there will be no cost to vehicle owners to install retrofit technology.**

What is a “retrofit”? Most gasoline-fueled vehicles have control technologies like catalytic converters that reduce harmful emissions of air pollutants. Diesel vehicles do not currently have these emission controls, so aftermarket “retrofits” have been developed that can be installed on your existing diesel vehicles. These include diesel particulate filters (DPFs), diesel oxidation catalysts (DOCs) and others that are attached at the tailpipe to filter pollutants. Another technology is a closed crankcase system (similar to a PCV valve on cars) that is installed on the engine crankcase to prevent diesel exhaust from seeping into the cabin of vehicles like school buses.

**Requirements of the new diesel law (note that NJDEP is developing regulations for the following items which will be proposed in Fall, 2006 and will be subject to public review and comment)**

**1. All school buses in NJ will be fitted with closed crankcase controls. Costs will be reimbursed.**

- All school buses, publicly & privately owned, will be required to install this technology within 2 years of the effective date of the regulations, or by approximately the beginning of 2009.
- The N.J. Department of Environmental Protection (NJDEP) will simultaneously perform a study to determine if emissions from the bus tailpipe are significantly affecting the air quality inside a school bus. If so, additional emission controls may be required.

**2. Retrofits with tailpipe pollution controls will be required on certain types of diesel vehicles and will be detailed in Compliance Plans developed by vehicle owners. Costs for retrofits will be reimbursed.**

- Garbage trucks: publicly owned, or privately owned and used in a public contract, will be required to complete and submit a Compliance Plan within 6 months of adoption of rules by NJDEP, or by approximately August, 2007;
- NJ Transit buses will be required to complete and submit a Compliance Plan within 12 months of adoption of rules by NJDEP, or by approximately February, 2008;
- Privately owned transit buses will be required to complete and submit a Compliance Plan within 18 months of adoption of rules by NJDEP, or by approximately August, 2008; and
- Publicly owned heavy duty on-road and non-road vehicles, such as construction vehicles, will be required to complete and submit a Compliance Plan within 48 months of adoption of rules by NJDEP, or by approximately February, 2011 .
- Installation of retrofit equipment will be phased in over ten years, based on availability of funding

**3. Tracking compliance with the diesel law**

- NJDEP will train its inspectors as well as Motor Vehicle Commission staff and employees of private inspection centers to verify installation has occurred.
- NJDEP will verify compliance with the law through record reviews and on-site random audits at fleet yards and other places of business.

**4. State and local enforcement authorities will be enforcing the 3 minute limit on idling.**

- NJDEP will conduct public outreach on health risks to children from idling school buses.
- Because of the new diesel law, local police now have authority to enforce NJDEP's idling regulations, including the 3 minute limit on idling (see N.J.A.C. 7:27-14,15).
- Idling penalties are now consistent among local, county and NJDEP enforcement authorities.

**What should I do first?**

Although the rules will provide specific guidance, there are some things you can do now to get ready. Vehicle owners should have an up-to-date inventory of their heavy-duty, on-road diesel vehicles and non-road diesel vehicles greater than 175 hp. You will use this information to develop your compliance plan (see dates in #2 above). The compliance plan will identify which diesel vehicles will be retrofitted with which control technologies. In addition, if you are purchasing new on-road vehicles for your fleet, you should consider purchasing model year 2007 and newer since they have much lower emissions and therefore will not be affected by the retrofitting requirements of the law.

It is also important for vehicle owners to begin to gather information and understand the different types of retrofit technologies available today. The U.S. Environmental Protection Agency verifies technologies and has information available on its web site, [www.epa.gov/otaq/retrofit/retroverifiedlist.htm](http://www.epa.gov/otaq/retrofit/retroverifiedlist.htm). In addition, the California Air Resources Board also has a list of approved technologies on its website at: [www.arb.ca.gov/diesel/verdev/currentlyverifiedtech.htm](http://www.arb.ca.gov/diesel/verdev/currentlyverifiedtech.htm) .

### **Who will pay for the retrofits?**

On November 8, 2005, New Jersey voters approved a constitutional amendment that temporarily reallocates a portion of the existing Corporate Business Tax to pay for the implementation of the new diesel law. Therefore, the cost of emission control retrofits (including installation) will be paid by the State using funds from the Corporate Business Tax. The exact details of reimbursement procedures will be contained in the forthcoming NJDEP regulations. The dates for Compliance Plan submittal, NJDEP approval of Compliance Plans, and installation of retrofits for various types of vehicles are dependent upon the State Treasurer verifying that funding is available to pay for the retrofits. If there are any delays in the provision of retrofit funding, the anticipated retrofit dates may be similarly delayed.

### **Is it okay to continue to purchase diesel vehicles without retrofits?**

It is okay to continue to purchase diesel vehicles as needed. If possible, you are encouraged to purchase on-road diesel vehicles with 2007 or later engines. These engines will meet new, more stringent federal emission standards required for all on-road vehicles beginning with model year 2007, so they will not need retrofits.

### **Are fire trucks covered by the diesel retrofit law?**

While diesel fire trucks fall into the category of publicly owned on-road vehicles, the proposed rules will not require emergency vehicles, including fire trucks, to install diesel retrofits.

### **Whom do I call for more information?**

You can contact a member of the NJDEP Diesel Risk Reduction Program at (609) 292-7953 with questions. You may also want to check our website, [www.StopTheSoot.org](http://www.StopTheSoot.org), which will include periodic updates on the status of rules implementing the diesel law, currently available technologies to reduce emissions, and information on idling.